

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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| <b>JOHN JAY PRZEPIOSKI and<br/>GEORGIANNA MARIE PRZEPIOSKI</b><br><br><b>v.</b><br><b>PRO CUSTOM SOLAR LLC d/b/a<br/>MOMENTUM SOLAR</b> | <b>CIVIL ACTION</b><br><br><b>NO. 21-1071</b> |
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**ORDER RE MOTION TO DISMISS**

**AND NOW**, on this 20th day of August, 2021, upon consideration of Defendant Pro Custom Solar's Motion to Dismiss (ECF 8), Plaintiffs Georgianna Marie Przepioski and John Jay Przepioski's Response (ECF 10), and Defendant's Reply (ECF 11), for the reasons stated in the attached Memorandum, it is hereby **ORDERED** that Defendant's Motion to Dismiss is **DENIED**. Plaintiffs' Motion for Leave to File a Sur-Reply (ECF 12) is **DENIED** as moot.

**BY THE COURT:**

/s/ **MICHAEL M. BAYLSON**

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**MICHAEL M. BAYLSON, U.S.D.J.**